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Attorneys for Defendant
ALLSTATE INDEMNITY COMPANY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER MICHAEL MALONEY,

Plaintiff,

vs.

ALLSTATE INDEMNITY COMPANY,
AND DOES 1 TO 5,

Defendant.

Case No. 2:20-cv-02523-MCE-KJN

**STIPULATION TO MODIFY PRETRIAL
SCHEDULING ORDER AND ORDER**

Pro se plaintiff Christopher Michael Maloney and defendant Allstate Indemnity Company, through its counsel of record (collectively “the Parties”), hereby stipulate and agree as follows and respectfully request the Court approve their stipulation for good cause shown:

WHEREAS, on May 17, 2021, the Court issued a Pretrial Scheduling Order, setting discovery and motion deadlines;

WHEREAS, although the Parties have diligently pursued discovery, including written discovery on each other and document production, they have experienced delays in discovery

caused by the COVID-19 pandemic, including Allstate's inability to timely schedule and take plaintiff's deposition while he has been incarcerated;

WHEREAS, due to extraordinary circumstances occasioned by plaintiff's incarceration and the associated communication delays and COVID-19 protocols, the Parties were and are unable to complete discovery by the discovery cut-off dates set by the Court;

WHEREAS, the Court has not previously modified any deadlines in this case;

WHEREAS, the extension of certain deadlines will not delay the trial of this matter, as none is scheduled;

NOW THEN, the Parties propose and stipulate to, subject to the Court's approval, the following new pre-trial deadlines:

Non-Expert Discovery Cut-Off	Existing Date:	April 1, 2022
	<i>Proposed Date:</i>	<i>August 5, 2022</i>
Expert Witness Disclosures	Existing Date:	April 22, 2022
	<i>Proposed Date:</i>	<i>August 26, 2022</i>
Rebuttal Expert Disclosures	Existing Date:	May 13, 2022
	<i>Proposed Date:</i>	<i>September 16, 2022</i>
Expert Discovery Cut-Off:	Existing Date:	June 10, 2022
	<i>Proposed Date:</i>	<i>October 14, 2022</i>
Law and Motion Filing Cut-Off	Existing Date:	September 29, 2022
	<i>Proposed Date:</i>	<i>January 26, 2023</i>
Law and Motion Hearing Cut-Off	Existing Date:	October 27, 2022
	<i>Proposed Date:</i>	<i>February 23, 2023</i>

IT IS SO STIPULATED.

Dated: _____, 2022

PRO SE PLAINTIFF

By: _____
Christopher Michael Maloney

Pro Se Plaintiff

Dated: April 29, 2022

DENTONS US LLP

By: Mengmeng Zhang

Attorneys for Defendant
ALLSTATE INDEMNITY COMPANY

ORDER

Based on the parties' stipulation, the court now orders the following dates.

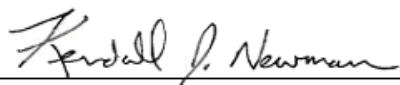
Non-Expert Discovery Cut-Off	Existing Date:	April 1, 2022
	<i>New Date:</i>	<i>August 5, 2022</i>
Expert Witness Disclosures	Existing Date:	April 22, 2022
	<i>New Date:</i>	<i>August 26, 2022</i>
Rebuttal Expert Disclosures	Existing Date:	May 13, 2022
	<i>New Date:</i>	<i>September 16, 2022</i>
Expert Discovery Cut-Off:	Existing Date:	June 10, 2022
	<i>New Date:</i>	<i>October 14, 2022</i>
Law and Motion Filing Cut-Off	Existing Date:	September 29, 2022
	<i>New Date:</i>	<i>January 26, 2023</i>

The court modifies the parties' proposed dates slightly by eliminating the hearing cut-off date, as plaintiff is incarcerated. Under Local Rule 230(l), where a party proceeds while incarcerated and without the assistance of an attorney, motions are to be submitted upon the record without oral argument, with a briefing schedule set by this subsection. Thus, if the parties intend to submit cross-motions for summary judgment, each party must do so by January 26, 2023. Each party shall then file opposition within 21 days and may file a reply 14 days thereafter. This briefing schedule may be extended for good cause. Finally, the parties are reminded of the availability of the court's magistrate judges for a settlement conference, should they wish to schedule one.

Dated: May 4, 2022

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE